MESSAGE FROM THE PRESIDENT CONCERNING

THE LATE VIOLATION OF LAW AT BOSTON. The PRESIDENT of the United States yesterday

swer to a resolution of that body; EXECUTIVE DEPARTMENT, FEBRUARY 19, 1851.

To the Senate of the United States:

sent to the Senate the following Message, in an-

I have received the resolution of the Senate of the 18th in stant, requesting me to lay before that body, if not incompatible with the public interest, any information I may posses n regard to an alleged recent case of a forcible resistance to the execution of the laws of the United States in the city of Boston, and to communicate to the Senate, under the above ns, what means I have adopted to meet the occurrence; and whether, in my opinion, any additional legislation is necessary to meet the exigency of the case, and to more vigorously execute existing laws.

The public newspapers contain an affidavit of Patrick Riley, a deputy marshal for the district of Massachusetts, setting forth the circumstances of the case, a copy of which affidavit is herewith communicated. Private and unofficial com munications concur in establishing the main facts of this ac-count, but no satisfactory official information has as yet been received, and in some important respects the accuracy of the account has been denied by persons whom it implicates. Nothing could be more unexpected than that such a gross violation of law, such a highhanded contempt of the authority of the United States, should be perpetrated by a band of lawless confederates, at noonday, in the city of Boston, and in the very temple of justice. I regard this flagitious proceeding as being a surprise, not unattended by some degree of negligence; nor do I doubt that, if any such act of violence had been apprehended, thousands of the good citizens of Bosto would have presented themselves, voluntarily and promptly, to prevent it; but the danger does not seem to have been timely made known, or duly appreciated by those who were

oncerned in the execution of the process.

In a community distinguished for its love of order and respect for the laws; among a people whose sentiment is liberty and law, and not liberty without law, nor above the law, such an outrage could only be the result of sudden violence, unhappily too much unprepared for to be successfully resisted. It would be melancholy, indeed, if we were obliged to regard this outbreak against the constitutional and legal authority of the Government, as proceeding from the general feeling of the people, in a spot which is proverbially called "the cradle of American liberty." Such, undoubtedly, is not the fact. It violates, without question, the general sentiment of the people of Boston, and of a vast majority of the whole people of Massachusetts, as much as it violates the law, defies the suthority of the Government, and disgraces those concerned in it, their aiders and abettors.

It is, nevertheless, my duty to lay before the Senate, answer to its resolution, some important facts and considerations connected with the subject.

A resolution of Congress, of September 23, 1789, de-

ended to the Legislatures of the sever States to pass laws, making it expressly the duty of the keep-ers of their jails to receive and safe keep therein, all prisoners committed under the authority of the United States, until they shall be discharged by the course of the laws thereof, under the like penalties as in the case of prisoners committed under the suthority of such States respectively; the United States to pay for the use and keeping of such jails, at the rate of fifty cents per month for each prisoner that shall, under their authority, be committed thereto, during the time such prisoner shall be therein confined; and also to support such of said

A further resolution of Congress, of the 3d of March, 1791, provides that "whereas Congress did, by a resolution of the 23d day of September, 1789, recommend to the several States to pass laws making it expressly the duty of the keepers of their juils to receive and safe keep therein all prisoners committed under the authority of the United States; in order, therefore, to insure the administration of justice-

"Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That in case any State shall not have complied with the said recommendation, the marshal in such State, under the direction of the judge of the district, be authorized to hire a convenient place to serve as a temporary jail, and to make the necessary provision for the safe keeping of prisoners committed under the authority of the United States, until permanent provision shall be made by law for that purpose; and the said marshal shall be allowed his reasonable expenses, incurred for the above purposes, to be paid out of the treasury of the United

And a resolution of Congress, of March 3, 1821, provides that "where any State or States, having complied with the recommendation of Congress in the resolution of the twentythird day of September, 1789, shall have withdrawn or shall hereafter withdraw, either in whole or in part, the use of their jails for prisoners committed under the authority of the United States, the marshal in such State or States, under the direction of the judge of the district, shall be and hereby is authorized and required to hire a convenient place to serve as a temporary jail, and to make the necessary provision for the safe-keeping of prisoners committed under the authority of the United States, until permanent provision shall be made by law for that purpose; and the said marshal shall be allowed his reasonable expenses incurred for the above purposes, to be paid out of the Treasury of the United States." These various provisions of the law remain unrepealed.

By the law of Massachusetts, as that law stood before the act of the Legislature of that State, of the fourth of March 1843, the common jails in the respective counties were to be used for the detention of any persons detained or committed used for the detention of any persons detained or committed by the authority of the courts of the United States, as well as by the courts and magistrates of the State. But these provi-

sions were abrogated and repealed by the act of the Legisla-ture of Massachusetts of the 24th of March, 1843.

That act declares that "no judge of any court of record of this Commonwealth, and no justice of the peace, shall hereafter take cognizance or grant certificates in cases that may arise under the third section of an act of Congress passed February 12, 1793, and entitled 'An act respecting fugitives from justice, and persons escaping from the service of their masters,' to any person who claims any other person as a fugitive slave within the jurisdiction of the Commonwealth." And it further declares that " no sheriff, deputy sheriff, core ner, constable, jailor, or other officer of this Commonwealth, shall hereafter arrest or detain, or aid in the arrest or detention, or imprisonment in any jail or other building belonging to this Commonwealth, or to any county, city, or town thereof, of any person for the reason that he is claimed as a fugitive slave." And it further declares that "any justice of the peace, sheriff, deputy sheriff, coroner, constable, or jailor, who shall offend against the provisions of this law, by in any way acting directly or indirecty under the power conferred by the thir section of the act of Congress aforementioned, shall forfeit sum not exceeding one thousand dollars for every such offence for the use of the county where said offence is committed, shall be subject to imprisonment not exceeding one year in the county jail.

This law, it is obvious, had two objects: the first was to

make it a penal offence in all officers and magistrates of the Commonwealth to exercise the powers conferred on them by the act of Congress of the 12th of February, 1793, entitled the act of Congress of the 12th of February, 1793, enutied
"An act respecting fugitives from justice, and persons escaping from the service of their masters," and which powers
they were fully competent to perform up to the time of this inhibition and penal enactment; second, to refuse the use of the
jails of the State for the detention of any person claimed as a
fugitive slave.

It is deeply to be lamented that the purpose of these enact-

ments is quite apparent. It was to prevent, as far as the Legislature of the State could prevent, the laws of Congress passed for the purpose of carrying into effect that article of the Constitution of the United States which declares that "no son held to service or labor in one State, under the law person held to service or labor in one State, under the laws thereof, escaping into another, shall, in consequence of any law or regulation therein, be discharged from such service or law or regulation therein, be discharged from such service or labor, but shall be delivered up on claim of the party to whom such service or labor may be due," from being carried into effect. But these acts of State legislation, although they may cause embarrassment and create expense, cannot derogate either from the duty or the authority of Congress to carry out fully and fairly the plain and imperative constitutional provi-sion for the delivery of persons, bound to labor in one State

It is quite clear that, by the resolution of Congrers of third of March, 1821, the marshal of the United States, in any State in which the use of the jails of the State has been with-drawn in whole or in part for the purpose of the detention of persons committed under the authority of the United States, is not only empowered, but expressly required, under the direction of the judge of the district, to hire a convenient ace for the safe-keeping of prisoners committed under au ority of the United States. It will be seen, from papers ac companying this communication, that the attention husetts was distinctly called to this proviof the law by a letter from the Secretary of State of

he date of October 28th last. There is no official informa on that the marshal has provided any such place for the onfinement of his prisoners. If he has not, it is to be reconfinement of his prisoners. If he has not, it is to be regretted that this power was not exercised by the marshal, under the direction of the district judge, immediately on the passage of the act of the Legislature of Massachusetts, of the 24th March, 1843; and especially that it was not exercised on the passage of the fugitive slave law of the last session, or when the attention of the marshal was afterwards particularly

It is true that the escape from the deputy marshals in this case was not owing to the want of a prison, or place of con-finement, but still it is not easy to see how the prisoner could have been safely and conveniently detained, during an adjournment of the hearing, for some days, without such place of confinement. If it shall appear that no such place has been obtained, directions to the marshal will be given to lose

been obtained, directions to the marshal will be given to lose no time in the discharge of this duty.

I transmit to the Senate the copy of a proclamation issued by me on the 18th instant, in relation to these unexpected and deplorable occurrences in Boston, together with copies of instructions from the Departments of War and Navy relative to the general subject. And I communicate also copies of telegraphic despatches transmitted from the Department of State to the district attorney and marshal of the United States for the district of Massachusetts, and their answers thereto.

or the district of Massachusetts, and their answers thereto.
In regard to the last branch of the inquiry made by the re-In regard to the last branch of the inquiry made by the re-solution of the Senate, I have to observe that the Constitution declares that "the President shall take care that the laws be faithfully executed," and that "he shall be commander-in-chief of the army and navy of the United States, and of the militia of the several States, when called into the actual ser-vice of the United States;" and that "Congress shall have power to provide for calling forth the militia to execute the laws of the Union, suppress insurrection, and repel invasions."
From which it appears that the army and navy are, by the constitution, placed under the control of the Executive, and probably no legislation of Congress could add to or diminish the power thus given, but by increasing or diminishing or abolishing altogether the army and navy. But not so with the militia. The President cannot call the militia into service, even to execute the laws or repel invasions, but by the authority of acts of Congress passed for that purpose. But when the militia are called into service, in the menner prescribed by law, then the constitution itself gives the command to the President. Acting on this principle, Congress, by the act of February 28, 1795, authorized the President to call forth the militia to repel invasion and "suppress insurrections against a State Government, and to suppress combinations against the laws of the United States, and cause the laws to be faithfully executed." But the act proceeds to declare that, whenever it may be necessary, in the The President cannot call the militia into service, even-to execeeds to declare that, whenever it may be necessary, in the judgment of the President, to use the military force thereby ted to be called forth, the President shall forthwith, by proclamation, command such insurgents to disperse, and retire peaceably to their respective abodes, within a limited time. These words are broad enough to require a proclamation in all cases where militia are called out under that act, whether to repel invasion or suppress an insurrection, or to aid in execu the laws. This section has, consequently, created some doubt whether the militia could be called forth to aid in executing the laws without a previous proclamation. But yet the proclamation seems to be in words directed only against insurgents, and to require them to disperse, thereby implying not only an insurrection, but an organized, or at least an embodied force. Such a proclamation in aid of the civil authority would often defeat the whole object by giving such notice to persons intended to be arrested that they would be enabled to fly or secrete themselves. The force may be wanted sometimes to make the arrest, and also some-times to protect the officer after it is made, and to prevent a rescue. I would therefore suggest that this section be modi-fied by declaring that nothing therein contained shall be construed to require any previous proclamation, when the militia are called forth either to repel invasion, to execute the laws, or suppress combinations against them; and that the Presi dent may make such call, and place such militia under the control of any civil officer of the United States, to aid him in executing the laws or suppressing such combinations; and while so employed, they shall be paid by and subsisted at the expense of the United States.

Congress, not probably adverting to the difference between the militia and the regular army, by the act of March 3, 1807, authorized the President to use the land and naval forces of the United States for the authorized for the state of the land and have the

orces of the United States for the same purposes for which he might call forth the militia, and subject to the same proclama-tion. But the power of the President, under the Constitution, as commander of the army and navy, is general; and his duty to see the laws faithfully executed is general and pocing any disposition in Congress to limit or restrain this constitutional authority. For greater certainty, however, t may be well that Congress should modify or expla this act, in regard to its provisions for the employment of the army and navy of the United States, as well as that in regard to calling forth the militia. It is supposed not to be doubtful that all citizens, whether enrolled in the militia or not, may that an extract, whether enrolled in the mintal of help have be summoned as members of the posse comitatus, either by the marshal or a commissioner, according to law; and that it is their duty to obey such summons. But perhaps it may be doubted whether the marshal or a commissioner can summon as the posse comitatus an organized militia force, acting under its own appropriate officers, without the consent of such officers. This point may deserve the consideration of Con-

lepends upon me, the laws shall be faithfully executed, and all forcible opposition to them suppressed; and to this end l am prepared to exercise, whenever it may become necessary, am prepared to exercise, whenever it may become necessary, the power constitutionally vested in me to the fullest extent. I am fully persuaded that the great majority of the people of this country are warmly and strongly attached to the Constitution, the preservation of the Union, the just support of the Government, and the maintenance of the authority of law. I am persuaded that their earnest wishes and the line of my constitutional duty entirely concur; and I doubt not fimmes, noderation, and prudence, strengthened and animated by the general opinion of the people, will prevent the repetition of occurrences disturbing the public peace and reprobated by all good men.

MILLARD FILLMORE.

> EDEN HALL Institution for Young Ladies,

SACRED HEART,

Holmesburg, Philadelphia County, Pa.

THIS Institution is situated about ten miles from the city of Philadelphia, and possesses every advantage that parents and guardians can desire.

ents and guardians can desire.

The situation is salubrious and agreeable; the pleasure grounds are extensive and highly cultivated, affording the young ladies every facility for the enjoyment of those invigorating exercises so conducive to health.

The culture of the youthful mind, and the training of the heart to virtue, being the important duties entrusted to the "Ladies of the Sacred Heart," no pains will be spared to instruct their pupils in those branches which constitute a solid and refaped education.

Every attention will be paid to the physical wants and comforts of the pupils who are always under the immediate suffered

forts of the pupils who are always under the immediate su-perintendence of the ladies.

Difference of religion is no obstacle to the admission of young ladies; but good order requires their attendance at the public religious exercises of the Institution.

TERMS:

Board and Tuition, including every branch of polite Literature, per annum, payable half-yearly in advance....\$150 00 Each pupil will pay, on entrance, for the use of bed, &c..5 00 Music, Drawing, and the Languages, at the usual rates.

Postage, Books, Stationery, and Washing are charged to the parents.

Arents.

The French Language being universally spoken in the Intitution, this important branch forms no extra charge.

GENERAL REGULATIONS. The Annual Vacation will commence the second week of the second se

September.
For further particulars refer to the Right Rev'd. Dr. KENRICK, Bishop of Philadelphia, Logan Square; or to the Lady
Superior, Sacred Heart, Eden Hall, near Holmesburg, Philadelphia county.

200 BUSHELS PRIME NEW CROP CLOVER
SEED.

50 ditto ditto Timothy Seed Also Orchard and Herds Grass Seed of very superior

quality.
Just received and for sale by
FITZHUGH COYLE,
National Agricultural and Seed Warehouse,
7th street.

A CLASSICAL TEACHER WANTED.—The subscribers, Trustees to Primary School 4, Piscataway ict, Prince George's county, Maryland, wish to employ sical Teacher for said school. Testimonials of scholara classical Teacher for said school. Testimonials of scholar-ship and character will be required. Apply to the subscribers. STANISLAUS BLANDFORD, JNO. T. HOXTON, Trustees.

TLLINOIS AND MICHIGAN CANAL.-Notice is hereby given that the Board of Trustees of the Illinois and Michigan Canal will offer for sale at public auction, in the city of Chicago, commencing on the 9th day of May next, 172,721 acres of land, lying on both sides of said Canal, and within five miles of the same, between Chicago and La Salle.

The Board will offer at same time and place all the unsold lots belonging to the Canal, lying in the city of Chicago, and the towns of Lockport, Joliet, Du Page, Kankakee, Morris, Ottawa, and La Salle.

The terms of the calculations of the control of the contr

terms of the sale are one-fourth cash, the residue of The terms of the sale are one-fourth cash, the residue of the purchase money in three annual instalments, with interest at 6 per cent. per annum, payable annually in advance.

This sale is made under authority granted by the State of Illinois, as set forth in the acts of February 21, 1843, March 1, 1845, and in the deed of trust executed by the Governor of the State, June 26, 1845, and duly recorded in the counties of Cook and Will.

DAVID 1E AVITT.

DAVID LEAVITT. DAVID LEAVITT,
JOSEPH B. WELLS.
Trustees of the Illinois and Michigan Canal.
Office of the Board of Trustees of the Illinois and Michigan
Canal, Feb. 6, 1851.
feb 15—2am3md&c WASHINGTON

"Liberty and Union, now and forever, one and

SATURDAY, FEBRUARY 22, 1851. THE BIRTHDAY OF WASHINGTON.

The Anniversary of the Birth of General WASHINGTON has not been always marked by any particular ceremony, even in this city, which has the honor to bear his name, was planted here under his presiding genius, and laid out under his immediate direction. The day has never passed wholly unobserved, however; and on at least one occasion (the Centenary Anniversary) was celebrated by a Public Festival, partaken of by the adherents to his principles, gathered together in this city from every part of the country, in a manner worthy of his great name and character.

The recurrence of the Anniversary, this day, annot but excite, in every direction, more than usual interest, in connexion with the circumstances of the country, during the last year and over, within which time the precepts of Washington have been more generally appealed to, and the great lesson of his life more frequently cited than during any equal period since the day of his death. Nor have these appeals and citations been without a very sensible influence on the minds of the body of intelligent and thinking men all over our country. It is hardly extravagant to say, that, had it not been for the commanding authority of that honored name, and its historical associations, in favor of National and Conservative principles, this Confederacy, the fruit of the counsels of Washington, and in part the work of his hands, might before this time have been broken up in the violence of the conflict, which has been raging between men of obstinate prejudices and extreme opinions, upon questions of ourely internal administration. To the name of WASHINGTON, the reverence for his virtues, and the nemory of his illustrious deeds, we do most sincerely believe, more than to any other single influence, is it owing that the good sense and patriotic nstinct of the body of the People of the United States have been enabled to triumph, as they have triamphed, over the combined assault of these extreme parties, furious in enmity to each other, uniting only in a higher enmity to the Union, which for a moment threatened, between the upper and the nether mill-stones, to crush this Government to atoms. If that danger be now happily passing away, we are in a great degree indebted for our escape from it to the moral as well as the political influence of the memory of Washington.

It is a remark of his Biographer, that the History f Gen. WASHINGTON, from the time of his apcointment to the command of the American armies, the History of his Country. With truth, he night have added that the story of his life, from his birth up to his appointment to the command of the army of the Revolution, exhibits equally the characteristics of the Provincial era which immediately preceded that Revolution; and that, neither in ancient nor in modern History, can any character be produced which, in all its aspects, is so well worthy of study by the present and succeeding generations of the American People as that of the Father of his Countrymen, at every period of his ife, from his infancy to his latest breath. To which we may add, that his character, as a study, has this advantage over that of nearly all the persons and sages of the old world; that it is not only of too recent date to be falsified, but that it is too deeply impressed on the Institutions of the Country and on the general mind, to be in any danger either of being depressed by calumny, or exalted by flat-

tery, below or above its due proportion. It has been objected to ancient history that in all nations it is disfigured by fable; that existing ceremonies, facts, and monuments, have been established but to give color to the absurdest fictions; and that monuments prove facts only when those facts have been transmitted to us by enlightened contemporaries. But when, in ages yet unborn, Posterity shall contemplate the Monument to the memory of Washington now rising to the UNDER THE DIRECTION OF THE LADIES OF THE Heavens within immediate view of the Capitol, there can be no danger, so long as letters live, that the virtues, the great actions, and greater mind which it is to commemorate, can ever be undervalued. Year after year, through rolling centuries, the name of Washington will ever stand out in radiant relief on the roll of Heroes, Sages, and Benefactors of their race.

It is not for us, however, to add any thing to what has flowed from the minds and the tongues of those in our country who are really able to do justice to so great a theme as the name and the fame of WASH-NGTON. Our object, in alluding to it, was only to note the passing day with such marks of sincere respect from us as it has at every year seemed to

us more and more to deserve. We shall not quit the subject without giving to our readers something far more worth reading than any common-places of ours. We have turned to our files for the Address, in honor of the day, delivered at the Festival on the centenary anniversary to which we have alluded, by Mr. WEBSTER, our present Secretary of State, who presided on that great occasion. Would that we could here republish the whole of that brilliant Discourse! At some future day we may do so. For the present, we nvite our readers to the two following brief extracts from it, distinguished no less by sparkling eloquence than by sound and wholesome truth:

"A true friend of his country loves her friends and ben factors, and thinks it no degradation to commend and comnemorate them. The voluntary outpouring of the public feeling, made to-day, from the North to the South, and from the East to the West, proves this sentiment to be both just and natural. In the cities and in the villages, in the public temples and in the family circles, among all ages and sexes, gladdened voices to-day bespeak grateful hearts, and a freshened recollection of the virtues of the Father of his Country. And it will be so, in all time to come, so long as public virtue is itself an object of regard. The ingenuous youth of America will hold up to themselves the bright model of WASHINGTON'S example, and study to be what they behold ; they will contemplate his character till all its virtues spread out and display themselves to their delighted vision, as the earliest astronomers, the shepherds on the plains of Babylon, gazed at the stars till they saw them form into clusters and constellations, overpowering at length the eyes of the beholders with the united blaze of a thousand lights.

"Gentlemen, we are at the point of a century from the on stands at the commencement of a new era, as well as at the head of a New World. A century from the birth of

Washington has changed the world. The country of Washngton has been the theatre on which a great part of that change has been wrought; and Washington himself a principal agent by which it has been accomplished. His age and his country are equally full of wonders; and of both

4 If the prediction of the poet, uttered a few years before his birth, be true, if indeed it be designed by Providence that the proudest exhibition of human character and human affairs shall be made on this theatre of the Western world; if

The four first acts already past, A fifth shall close the drama with the day; 'Time's noblest offspring is the last'how could this imposing, swelling, final scene be appropr ately opened; how could its intense interest be adequately

sustained, but by the introduction of just such a character as our Washington."

"In the first place all the measures of WASHINGTON were right in intent. He stated the whole basis of his own great character, when he told the country, in the homely phrase of the proverb, that honesty is the best policy. One of the most just and most striking things ever said of him is, that 'he changed mankind's idea of political greatness.' To companding talent, and to success, the common elements of such greatness, he added a disregard of self, a spotlessness of moive, a steady submission to every public and private duty, which threw far into the shade the whole crowd of vulgar great. The object of his regard was the whole country. No part of it was enough to fill his enlarged patriotism. ove of glory, so far as that may be supposed to have influenced him at all, spurned every thing short of general approbation. It would have been nothing to him that his partisans or his favorites outnumbered, or outvoted, or outmanaged those of other leaders. He had no favorites-he reject ed all partisanship; and, acting honestly for the universal good, he deserved, what he has so richly enjoyed, the universal

ple for support; his principle it was not, to follow the lead of sinister and selfish ends, and to rely on the little arts of party delusion to obtain public sanction for such a course. Bott or his country, and for the world, he did not give up to party what was meant for mankind. The consequence is, that his fame is as durable as his principles, as lasting as truth and virtue themselves. While the hundreds whom party excitement, and temporary circumstances, and casual com have raised into transient notoriety, sink again, like their bubbles, bursting and dissolving into the great ocean, Washing on's fame is like the rock, which bounds that ocean, and at whose feet its billows are destined to break harmlessly for

We regret to learn that the Secretary of War received vesterday the afflicting intelligence of the death of his brother, F. B. CONRAD, Esq., a distinguished member of the New Orleans Bar, who died on the 11th instant. This distressing bereavement will occasion the absence of the Secretary of her Husband, and that I have it now in my from the Department for a few days.

It is extremely desirable that in the next election in Virginia the people should be called on to express by their votes for their candidates their support or disapprobation of the Compromise. Virginia has been placed in a false position by several ccurrences this winter, and it is but right that her rue sentiments should be made known. We believe that, if there is a State in the Union devoted to the Union, and in favor of sustaining the compromise, (now that it has passed,) it is Virginia. The masses of the people, of both parties, are enirely sound on these questions. But we want something more than mere negative, stand-still sup-port. We hope to see the Representatives of the Old Commonwealth standing firmly and truly for that measure of peace and harmony. The rights of the States, in favor of which we are, as much as the loudest declaimer in their behalf, can be best preserved by maintaining them in the Union and under the Constitution. The Compromise was designed to uphold that Union, and prevent that Constitution from being torn to pieces by Northern fanatics and Southern ultraists. Hence it is that we should give it our support, and maintain its integrity .- Alex. Gazette.

NEW DEMOCRATIC NOMINATION FOR GOVER-

NOR IN NEW HAMPSHIRE. We learn from Concord that the Democratic State Convention which met in that place on Wednesday rescinded the nomination of Rev. John ATWOOD by a vote to which there were only two dissenters. The present Governor, SAMUEL DINS soon, was then nominated for re-election, having TWO HUNDRED AND TWO votes to three for Mr. At wood. The Convention consisted of the same delegates who originally nominated Mr. Atwood, and he unanimity with which they have discarded him is a proof that the Democracy of New Hampshire are determined to uphold the Union and the Laws. and that they will not have for their standard-bearer a man who does not know which way he is marching .- Boston Post.

THE WHEELING BRIDGE CASE.—The Pittsburgh paper tate that Chancellor Walworth, in his report to the Supreme Court, declares the Wheeling Bridge an obstruction to navigation as it now stands, and recommends that it be raised wenty-eight feet.

FROM BILLY BOWLEGS. A letter from South Florida speaks of a late interview between Capt. CASEY, the United States Indian agent, and Mr. "Wilum Bolags," as he signs himself. Capt. Casey set forth to Bowlegs the recent action of the Florida Legislature for the removal of the Indians, and told him that now was his last chance for a peaceable arrangement; that the United States authorities were his friends, and would not only see him comfortably removed, and provided for afterwards. but would pay him well for going; but, if he delayed, the Governor of Florida and his riflemen and long knives would be down upon him, and drive the whole tribe into the ocean. Upon this Billy scratched his head, and thoughtfully inquired if the United States Government was really his friend and wished him well? Capt. Casey replied that there could be no manner of doubt about that. "Well, then," says Billy, if you are my friends, just you stand still, and me whip the Governor of Florida and his long knives d-n quick;" and, in short, gave Casey to understand that he did not value the sovereignty of Florida so much as "the shaking of a souirrel's tail." This is truly mortifying. Billy evidently had not read the report of the majority committee on Federal Relations .- Tallahassee Sentinel.

EXTRAORDINARY PASSAGE.—The steamer Baltic, Capt. COMSTOCK, reached the Mersey on Sunday morning, January 19. She cleared from her wharf at New York on the 8th instant, about a quarter past 12 at noon, and arrived off the Northwest lightship on Sunday morning at half past four o'clock, and after a detention off the bar, from the state of the ide, steamed past the Rock lighthouse precisely at 9 45 A. M., completing the run from port to port, deducting difference of time and detention off the harbor, in exactly ten days, twelve hours, and fifty-three minutes. This is one of the most exraordinary passages on record, and we think without parallel in mid-winter. The Baltic was to leave Liverpool again on the 7th instant.

ANCIENT CHURCH .- The New York Independent gives an account of an ancient church in Lancaster county, (Va.) which is almost as old as the dilapidated structure at Yorktown, but is yet perfectly sound. It was built by an individ-ual named John Carter, as an Episcopal house of worship, above two hundred years ago, and externally has scarcely be-gun to show the marks of time. It is in the form of a cross, with roofs crossing each other at right angles. There is a door at each end except the eastern. The walls are of the best English brick, laid solid in cement, and are thirty inches or Gentlemen, we are at the point of a century from the birth of Washington; and what a century it has been! During its course the human mind has seemed to proceed with a sort of geometric velocity, accomplishing more than had been done in fives or tens of centuries preceding. Washington stands at the commencement of a new era, as well as at the commencement of a new era, as well as at the collection of the commencement of a new era, as well as at the collection of the collectio structed, the only repairs that have been made on the church.

THE DYING INJUNCTION OF MR. MADISON.

It is within the recollection of every reader that we published, a week or two ago, the parting injunction of the illustrious Madison to his countrymen, to distrust both the open and the secret enemies of the Union of the States. Though we had seen the article referred to in print before publishing it, we received it in Manuscript from a gentleman whom we consider the highest living authority in regard to every thing concerning Mr. Madison's writings, and political opinions and sentiments. We refer to the Hon. EDWARD COLES, of Virginia, who for six years acted as Private Secretary to President Madison, but, removing afterwards to Illinois, became Governor of that State, and subsequently removed to and now lives in the city of Philadelphia. His relations with Mr. Madison were of the most confidential character to the end of his life, and with Mrs. Manison also up to the time of her death.

Since our publication of the Opinion of Mr. Madison to which we refer, a question has arisen in some of the public prints as to the authority upon which that opinion, as being Mr. Madison's, rests. Among the papers in which this question has been raised is the Norfolk Herald, which, on the 11th instant, spoke of it as follows :

"Though we may readily admit that the sentiments her ascribed to Mr. Madison are precisely those which he entertained, yet it is doubtful whether he ever committed them to paper; for, if he had, it is but reasonable to suppose that they would have appeared at an earlier day, when they might have been appealed to with effect. We trust, however, that if the extract here given is genuine, it will be so made to appear. Such sentiments from such a source

On seeing this notice in the Herald, we took the readiest way of complying with the desire of the worthy Editor of that paper, by forwarding to Mr. Coles a copy of it. From him we have received the following reply in good time for its publication to day:

PHILADELPHIA, FEB. 20, 1851. Messrs, Gales & Seaton:

GENTLEMEN: Having had my attention called to a paragraph in the Norfolk Herald, in which doubts are expressed, and anxiety evinced to have proof. of the genuineness of the publication made by you of the advice of Mr. Madison to his country, and having furnished you the paper in question, it seems proper for me to authorize you to state that I received it from Mrs. Madison, after the death possession in her hand-writing. I have not concealed this paper, but on the contrary have shown it to many, and given copies of it to several persons. About nine years ago my friend RICHARD Rush took a copy of it, and near a year since he transcribed it into a letter to Senator Mason, which letter was published in the National Intelligencer last spring. It was also published last summer. as a part of a speech made by Mr. J. R. INGER-SOLL. Near a year since I furnished a copy of it to Senator CLAY, and soon after a copy to you. I mention these particulars, as the doubts of its peared at an earlier day, when it might have been ppealed to with effect." Its publication in Mr. ush's letter to Mr. Mason, I presumed to have been the cause why you did not promptly publish the copy I furnished you for that purpose. Be-lieving with the Norfolk Herald that such advice from such a source would produce good effects, I was both disappointed and mortified at seeing so little publicity and consequence given to it.

Truly and respectfully, yours, EDWARD COLES.

Having thus verified the record, no more fitting day than this can well offer for the re-publication of the Manuscript thus communicated by Mrs. Madison to Mr. Coles, as having been committed

"ADVICE TO MY COUNTRY.

" As this advice, if it ever see the light, will not do so till I am no more, it may be considered as issuing from the tomb, where truth alone can be respected, and the happiness of man alone consulted. It will be entitled, therefore, to whatever weight can be derived from good intentions, and from the experience of one who has served his country in various stations through a period of forty years; who espoused in his vouth, and adhered through his life, to the cause of its liberty; and who has borne a part in most of the great transactions which will constitute epochs of its destiny.

"The advice nearest to my heart and deepest in my convictions is, that the Union of the States be cherished and perpetuated. Let the open enemy to it be regarded as a Pandora with her box opened; and the disguised one, as the serpent creeping with his deadly wiles into Paradise."

THE STEAMER ATLANTIC .- A private letter from Captain WEST, of the steamer Atlantic, to a friend in Philadelphia, gives the following account of the disaster to this fine ship:

COVE OF CORK. JANUARY 27.

When the accident happened there was a high sea, with heavy squalls, but moderating a little; the lulls being longer than they had been. As I had been steaming head to wind, all was snug, fore-yards down, &c., which left me nothing but my fore and aft sails to heave to, and they were often be calmed by the heavy roll of the ship, as she lay in the trough of the sea. The next day it moderated a little, and we were employed in sending down the small maintopmast and getting employed in sending down the small maintopmast and getting the foreyard up; getting the floats off their wheels, &c. After five days, incessant labor on my part, and never going below, I found I was drifting to the eastward. Found that with salt provisions and two meals a day, I had thirty days' provisions on board. Called the passengers together and told them my intention of putting the ship's head to the eastward. They said, "Captain, we have every confidence in you, but do, my dear fellow, take care of yourself; for what would become of that morning I fell, during a heavy roll, and was picked up and carried to my room, stunned by a blow on the head. At 5 I was up again.

All this time the ship did not ship a drop of water nor did she leak a drop. How I love that ship, and how fearful I was that I should lose her! After we kept away, we averaged 150 miles a day; sometimes going nine miles an hour, with but little sail, as I was obliged to be careful. All I had was up, and it was small for such a hull. She is a great ship-scu like a gull, and, on account of her great length, so safe when lying to. After all this work of mind and body, I deeply feel how much is to be attributed to the kindness of the Almighty in favoring us with the winds to reach a port of safety.

The night I made Cape Clear Light it was blowing from the northwest, with hail and snow. On we went, and at ! in the morning the moon rose, the weather was clear and we made the light. At 8 o'clock took the pilot for Cork; at 3 o'clock anchored and sent off all the passengers. This was the finest and most moderate day for five weeks. That night the weather became stormy again. I mention this to show you how blessed we have been.

TEXAS PUBLIC IMPROVEMENTS .- The first work of inter nal improvement of importance yet undertaken in Texas with e certainty of success, is the construction of a canal from the Gulf of Mexico to the Brasos river. Mr. Bradbury, of Galves ton, has taken the contract for \$65,000. Operations have also commenced for the construction of the first railroad in the State. It is to connect the Rio Grande with the town of Harrisburg, a few miles below Houston, on the Buffalo Bayou,

and is expected to prove a very profitable road.

MORTALITY ON SHIPBOARD .- The packet ship Isaac Webb. Capt. Cropper, is detained at quarantine below New York, on account of sickness among her passengers, having had forty-seven deaths on the passage.

NEW JERSEY SENATOR ELECTED.

Commodore ROBERT F. STOCKTON was yesterday elected a United States Senator from New Jersey, by the Legislature of that State, for six yearsfrom the 4th of March next.

FROM BOSTON.

PROM THE BOSTON COURTER OF PEBRUARY 19. MEASURES FOR THE PUBLIC SAFETY .- It is some consolation, amid the regret and mortification occasioned by the affairs of Saturday last, to perceive that the City Government has begun to move in the business of providing further safeguards for the public peace. The Board of Aldermen yesterday passed an ordinance which will have the effect of removing whatever doubts the City Marshal might entertain of the propriety or legality of rendering assistance to the United States officers in their execuion of the laws. It is quite certain that no citizen can feel secure at his own fireside so long as he distrusts the power or the inclination of the city police to suppress tumult, riot, and resistance to law, in all cases; and to preserve the public peace and guard against public danger, in all circumstances. It is notorious that we have incendiary fanatics among us, who look with unbounded exultation on the late lawless proceedings, and hope for a speedy renewal of them. These are the men whose public declarations of contempt for the constituted authorities, and whose inflammatory appeals to the base passions and blind prejudices of the multitude, have stirred up the mob spirit to its present alarming height.

CITY OF BOSTON. -- IN BOARD OF MAYOR AND ALDERMEN.

TURSDAY, FREEDARY 18, 1851. WHENEAS this Board has learned with deep regret that he integrity of the laws and the dignity of the Con and city have been greatly impaired by the forcible rescue and bduction of a prisoner from the hands of an officer of the United States who had him in legal custody; therefore it is

Ordered, That the City Marshal, under the instructions of the Mayor, be directed, whenever he shall be properly informed by a public officer of this State, or the United States, that there is danger that he shall be unlawfully obstructed in the performance of his official duties by a mob, and that he needs his assistance, immediately to repair to the place where it is apprehended said riot will be had, and there faithfully and truly; with the whole police force under his contr use the same, in the most energetic manner possible, in support of the law, and the maintenance of the public peace.

LATE FROM EUROPE.

The steamer Baltic, which sailed from Liverpool the 8th instant, arrived at New York yesterday. We have through the Telegraph the annexed report of her intellgence: FRANCE.

The Committee of the Assembly resolved nem. con. that M. Maguin may be arrested for debt.

General RULHIERS met with a serious accident in descendng the staircase of the Castle des Pyramides on Satorday. Having made a false step, he fell and fractured the tend uniting the knee cap with the leg. He then fell on his head and became insensible. Medical aid was immediately called in. The General passed a very bad night.

In the Assembly on Monday the Minister of Finance submitted, in a short speech, a proposition for an extraordinary, credit of 1,800,000 francs, to meet the President's expenses genuineness seem founded on its not having "ap- of representation during the year 1851. The Minister's speech was received with satirical remarks from the member of the Mountain, and with coolness by the members of the

been driven into that harbor by stress of weather.

On the demand of the French Government M. Felix Pvat has been expelled from Switzerland. In the Moniteur the Minister of Foreign Affairs protests,

in contradiction of certain rumors, that no changes have been made among the functionaries of his department. On Wednesday night the National Assembly divided on

M. Joset's free-trade motion. The Chambers were for the notion 251, against it 389.

AUSTRIA.

A further reduction of the army is in contemplation. This will raise the number of soldiers on leave to 150,000. ment of the military power has reached a crisis.

The Vienna conspiracy is determined in its purpose and extended in its ramifications. Part of the garrison of had been misled. The 4th of March was fixed for a general outbreak. Seventy persons-students, citizens, and officers on half-pay-have been arrested. Three battslions of the garrison of Vienna have been sent to the provinces, and rewards have been offered for the apprehension of those persons who attempted to mislead the soldiers. The Austrian press will not be allowed to notice these facts.

LIVERPOOL MARKET, FEBRUARY 8. Corrow.-Cotton at Liverpool has further declined id. The sales of the week are 23,350 bales. Fair Orleans, 72. Mobile, 7%. Uplands, 7%. The market closed firmer thant had been during the week.

BREADSTUFFS .- The flour market was rather dull. Wheat as declined 1d. to 2d. per bushel. Indian corn, 6d. per Provisions.—Pork was in demand at London at 45 to

55 shillings; hams, 40 to 60s.; lard is brisk at 37 to 40s.

Pursuant to a decree of the Circuit Superior Court of Law and Chancery of said county, rendered in the cause wherein John Tassey and others were plaintiffs, and Evan T. Ellicott and others were defendants, the undersigned commissioners, appointed for the purpose, will proceed to sell at Morgantown, in said county, on the fourth Monday in February, 1851, (being court day,) all that property in Monongalia county, Virginia, Iying along and near Cheat River, generally known asthe "Monongalia Iron Works," and the same that was conveyed by said John Tassey and others to said Evan T. Ellicott and others, containing about 15,000 acres of land, whereon are a Rolling Mill, Forge, Foundry, Nail Factory, Grist and Saw-Mill, all driven by water power, together with three Blast Furnaces. On this land there is an abundance of Iron Ore, Stone Coal, Timber, and Limestone. There is also a valuable Ferry crossing Cheat river, belonging to the property.

This estate is well situated for manufacturing purposes; not only of Iron, but of Wool and Cotton, being situated in the heart of a good farming and wool-growing country, about fifty-five miles south of Pittsburg, having one of the best water powers in the west, and water communication to Pittsburg and elsewhere.

On these premises there have been expended within the last

elsewhere.

On these premises there have been expended within the last ten or twelve years, some fifty thousand dollars, in the erection of the Rolling Mill, Nail Factory, Blast Furnace, and tion of the kolling will, Mail Factory, Share on the buildings.

The Works are now in tolerably good order. Immediately connected with the Mills are some four or five hundred acres of superior farming land; some five or six smaller farms, together with sixty or eighty dwelling houses suitable for the

gether with sixty or eighty dwelling houses suitable for the workmen.

The sale will be on a credit of one, two, and three years, the purchaser giving bond with security for the payment of the purchase money—the same bearing interest from the day of sale. It is expected that the property will be offered for sale in some three or lour, or more, different parcels, and then altogether, and will be told in such way as will realize the most

noney. Those who may be disposed to make investments may expect

a great bargain in the purchase of this valuable property, and they would do well to examine the premises. The undersigned will take pleasure in furnishing any further description or information which may be desired by persons wishing to purchase.

EDGAR C. WILSON, W. T. WILLEY,

Morgantown, Dec. 12, 1850, dec 18-8wcp

PERUVIAN GUANO, Government importation, now discharging from ship Albany, direct from the Islands, for FITZHUGH COYLE, National Agricultural and Seed Warehouse ian 10-2aw2wifep DISTOLS, PISTOLS, PISTOLS,—The subscribers

have just received, direct from the manufacturers, a meral assortment of Wesson and Leavitt's Revolving Pisols, which are considered by competent judges superior to ON HAND-

English and Germ in Pistols, single and double barrel Colt's and Allen's Revolvers
Ladies' and other Pistols, in endless variety.

JOHN W. BADEN & BROTHER,

Sign of the Golden Saw, Penn. avenue, Near Sixth street. jan 31—Iaw6w

yar Merchants' Journal copy once a week for six weeks;

Mariboro' Gazette and Rockville Journal once a week four